

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 290**

January 23, 2023

**SUMMARY OF BILL:** Removes the requirement for a defendant to pay a fee of \$100 to the Tennessee Bureau of Investigation (TBI) when requesting a diversion.

**FISCAL IMPACT:**

**Decrease State Revenue - \$912,200/FY23-24 and Subsequent Years**

Assumptions:

- Pursuant to Tenn. Code Ann. § 38-6-118(e), upon a defendant's request for diversion, the defendant is required to pay a fee of \$100 to the TBI. The fee is then remitted to the Treasury and deposited in the state's General Fund.
- The proposed legislation deletes the requirement for the defendant to pay this fee.
- Based on information provided by the TBI, between the fiscal years of FY17-18 through FY21-22, the bureau collected an average annual total of \$912,193 in fees for diversion applications.
- The proposed legislation would eliminate this source of revenue.
- Therefore, the total recurring decrease in revenue to the General Fund is estimated to be \$912,193 in FY23-24 and subsequent years.
- The elimination of the fee is also assumed to increase the number of requests for diversion, but the precise rate of such an increase is unknown.
- It is assumed the TBI can process the initial increase in diversion requests utilizing existing resources.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director